

REMARKS

The present invention is a communication unit which provides personalization for a user by providing a view of an image placed inside the unit, a method and a cover part. In accordance with an embodiment of the invention, a communication unit has a back cover part, which is removable from a remainder of the communication unit, including a portion through which the image is viewed to provide personalization. See paragraph [0030] of the Substitute Specification and Figs. 4-7. The remainder of the communication unit includes a cavity containing internal parts of the communication unit including a display which displays information to a user during use of the communication unit which are not accessible to the user during use. An image holder, as illustrated in Figs. 4-7, releasably holds the image inside the cavity for viewing through at least a portion of the back cover part by the user during use of the communication unit.

Claims 19, 20, 35-37, 42 and 43 stand rejected under 35 USC §103 as being unpatentable over GB 2325371 (Nils) in view of United States Patent 6,628,971 (Yoon et al). These grounds rejection are traversed for the following reasons.

Each of Independent claims 19, 35-37 and 43 recites substantively in various degrees of scope a communication unit, which provides personalization for a user thereof by providing a view of an image through the back cover part which is removable from a remainder of the communication unit including at least a portion through which the image is viewed to provide the personalization with the remainder of the communication unit including a cavity containing internal parts of the communication unit including a display which displays information to a user during use of the communication unit which are not accessible to the user during use, and

an image holder releasably holding the image inside the cavity for viewing through the at least a portion of the back cover part by the user during use of the communication unit. This subject matter is not suggested by the combination of Nils and Yoon et al.

The Examiner correctly observes that "Nils does not teach the cavity containing a display which displays information to a user during the use of the communication unit." Yoon et al has been cited for their disclosure in column 1, lines 25-35, that in the prior art relative to Yoon et al "a background image may be formed on a display window of the mobile telephone so that the background image appears when the display window is backlit".

The combined teachings of Nils and Yoon et al do not suggest the subject matter of the independent claims, including the back cover part, the remainder of the communication unit, and an image picture holder wherein during use of the communication unit the cover part is not removed and the cavity is closed as recited substantively in the independent claims.

Claim 21 stands rejected under 35 USC §103 as being unpatentable over Nils in view Yoon et al in view of U.S. Patent 5,664,013 (Rossi). This ground of rejection is traversed for the following reasons.

Rossi discloses and external frame structure located on the back of a telephone for holding small slips of paper as described at the bottom of column 3 and at the top of column 4. This teaching does not suggest as the Examiner has said "the image holder is located on an inside surface of the back cover part which faces the cavity". Rossi's teachings pertain purely to an external frame for holding notes so that the user of the telephone may perform lists of things "to do" utilizing

the telephone. The notes 36 are not taught to be the claimed personalization of a phone as recited in the independent claims and are not in accordance with claim 21 by viewing of an image placed inside the unit through which the image providing personalization of the communication unit is viewed.

Moreover, there is no basis why a person of ordinary skill in the art would be motivated to combine the teachings of Nils, Yoon et al and Rossi to achieve the subject matter of claim 21 except by impermissible hindsight. In this regard, the teachings of Yoon et al pertain to the display of background image as part of the display of information of a mobile telephone which is totally different than the external holding of notes or lists of things "to do" of the user of a telephone such as that taught by Rossi.

Claims 22-25, 28-31, 38, 39 and 41 stand rejected under 35 U.S.C. §103 as being unpatentable over Nils and Yoon et al in view of United States Patent 5,619,814 (Herrndobler). These grounds of rejection are traversed for the following reasons.

Herrndobler has been cited as teaching an adhesive strip in the middle part flap 31. However, Herrndobler, which pertains to the display of a photograph on the head of a golf club, would not motivate a person of ordinary skill in the art to provide the subject matter of independent claims 19, 35-37 and 43 except by impermissible hindsight.

Claims 26, 27 and 40 stand rejected under 35 U.S.C. §103 as being unpatentable over Nils, Yoon et al and Herrndobler in view of United States Patent 3,921,322 (Sharp). This ground of rejection is traversed for the following reasons.

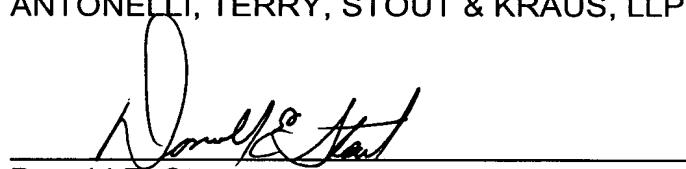
Sharp has been cited as teaching small stickers placed in all four corners of a picture. However, Sharp pertains to the display of photographs which does not cure the deficiencies noted above with respect to the combination of Nils, Yoon et al and Herrndobler.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (1030.38905X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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